

DOCKET NO.: CEPH-2249/CP241

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Craig Heacock, et al.
Application No.: 10/616,776
Filing Date: July 10, 2003

Confirmation No.: 1994
Group Art Unit: 1615
Examiner: Not Yet Assigned

For: MODAFINIL PHARMACEUTICAL COMPOSITIONS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

Applicants note that Reference No. 76 on the attached Form PTO 1449, US 2004/0167225 A1 is being cited at this time to correct an error in the previous Supplemental Information Disclosure Statement, submitted on July 15, 2005. Reference No. 61 on the Form PTO 1449 of that submission, US 2004/0167255 A1 was submitted in error.

In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified

application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

- In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.116 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:
 - Certification in Accordance with § 1.97(e) is attached; or
 - The fee of \$180.00 as set forth in § 1.17(p) is attached.
- In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).
- A copy of reference number 72 listed on the attached Form PTO-1449 is enclosed herewith.
- Copies of reference numbers 73 - 76 on the attached Form PTO 1449 are not required to be submitted pursuant to 37 CFR § 1.98(a)(2)(i).
- Copies of references - are not being submitted because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application number , filed for

which a claim for priority under 35 U.S.C. § 120 has been made in the instant application.

The relevance of those listed references which are not in the English language is as follows:

There are no listed references which are not in the English language.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

Date:

12/15/05


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Form PTO-1449 Modified	Docket No. CEPH-2249/ CP241	Application No. 10/616,776
List of Patent and Publications Cited by Applicant (Use several sheets if necessary)	Applicant Craig Heacock, et al.	
U.S. Department of Commerce Patent and Trademark Office	Filing Date July 10, 2003	Group 1615
	Confirmation No. 1994	

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

EXAMINER

DATE CONSIDERED